

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JERRY LEE SUEING,)
vs.)
Plaintiff,)
SHERIFF LEWIS HAWKINS, et al.,)
Defendants.)
)
) Case No. CIV-05-640-M
)

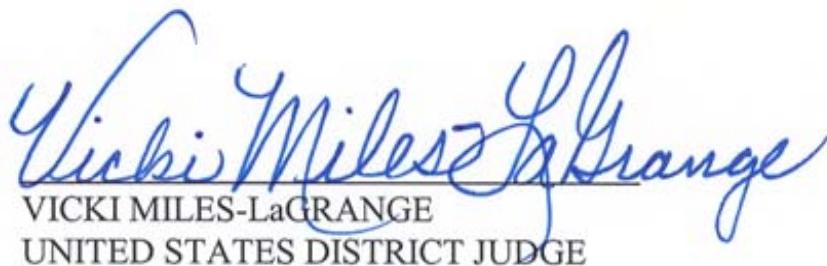
ORDER

On December 28, 2005, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended this action be dismissed without prejudice to the filing of a new action. Plaintiff was advised of his right to object to the Report and Recommendation by January 17, 2006. A review of the file reveals no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on December 28, 2005, and
- (2) DISMISSES this action without prejudice to refiling.

IT IS SO ORDERED this 24th day of February, 2006.



VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE